BILL NO. Z-70-01-//

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36,

Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. E-7 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Situate in the Township of St. Joseph, County of Allen and State of Indiana, to wit:
The South two hundred seventy (270) feet of Lot four (4) in J. H. Feichter's Gardenview Addition to the City of Fort Wayne, Indiana, except the East forty (40) feet for Hobson Road and the South thirty (30) feet for Lake Avenue, and the South two hundred seventy (270) feet of the East eighty-three (83) feet of Lot three (3) in J. H. Feichter's Gardenview Addition to the City of Fort Wayne, Indiana, except the South thirty (30) feet for Lake Avenue, according to the recorded plat thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM

CLL-ATTORNE

Read the first time in full and on motion by Dunifor sec	onded by		
Hegerwalf and duly adopted, read the second time by title	e and referred		
to the (Committee on) Regulations (and to	the City Plan		
Commission for recommendation) (and Public Hearing to be held after due legal notice,			
at the Council ^C hambers, City Hall, Fort Wayne, Indiana, on			
the day of 196 196 at	o'clock_		
P.M., E.S.T.	1		
Date: 1-13-70 Frank Bonk	hoom		
City Clerk			
Read the third time in full and on motion by			
seconded by and duly adopted, placed on it	s passage.		
Passed (LOST) by the following vote:			
AYES O, NAYS 8, ABSTAINED , ABSENT /	to-wit:		
Adams			
Dunifon Fay			
01			
Nuckols Robinson Rousseau Steigerwald Tipton			
Rousseau			
Steigerwald			
Date 3-10-70			
City Clerk			
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as			
(Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-			
on the day of, 196			
ATTEST: (SEAL)			
City Clerk Presiding Officer			
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the	day		
of, 196 at the hour of o'clock _	M.,E.S.T.		
City Clerk			
Approved and signed by me this day of	, 196 ,		
at the hour of o'clockM.,E.S.T.			
Mayor			

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RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 13, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-01-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 2, 1970.

Certified and signed this 3rd day of March 1970.

Mary Ann Haynie
Secretary

Bill No. <u>Z-70-01-11</u>		
	REPORT OF THE COMMIT	TEE ON REGULATIONS
We, your Committee on	Regulations	to whom was referred an Ordinance
amending the City of F	ort Wayne Zoning Map No.	. Е-7,
	Lost	
	at the	beg leave to report back to the Common
Council that said Ordinar	nce The PASS.	1 /2/) No
JACK K. DUNIFON, Chair	man	June of June of
EDWIN J. ROUSSEAU, Vic	e-Chairman	falen filment
THOMAS G. ADAMS		Jon Jag of allaws
WILLIAM K. GEAKE		With Deake
_ PHIL A. STEIGERWALD.		CAMADensewald
		CONCURRED IN
		DATE 3-10-70 FUAD G. BONAHOOM, CITY CLERK

PETITION TO REZONE

The undersigned, being the owner of more than fifty-one (51) percent of the real estate hereinafter described, does hereby respectfully petition the Common Council of the City of Fort Wayne, Indiana, to enact an ordinance to reclassify from an R-3 district to a B-1-B district, the real estate described as follows, to-wit:

Situate in the Township of St. Joseph, County of Allen and State of Indiana, to wit:

The South two hundred seventy (270) feet of Lot four (4) in J. H. Feichter's Gardenview Addition to the City of Fort Wayne, Indiana, except the East forty (40) feet for Hobson Road and the South thirty (30) feet for Lake Avenue, and the South two hundred seventy (270) feet of the East eighty-three (83) feet of Lot three (3) in J. H. Feichter's Gardenview Addition to the City of Fort Wayne, Indiana, except the South thirty (30) feet for Lake Avenue, according to the recorded plat thereof.

The herein described real estate is shown on pages E-7 of the Zoning Books of the City of Fort Wayne, Indiana.

(FRANK A. HIGGINS, TRUSTEE)

590 Lincoln Bank Tower

Fort Wayne, Indiana

LIVINGSTON, DILDINE, HAYNIE & YODER

(William P. Fagan)

Attorneys for Petitioner

We, the undersigned residents in the immediate area of Lake Avenue and Hobson Road object to the proposed change in the zoning from an R-3 District Multi-Family Residential to a B1B District Limited Business on the parcel of land containing 1.13 acres and located at the northwest corner of Hobson Road and Lake Avenue:

23 Mm. Mus Will B. Iles - 1691 Horison Rd 24 Mr & Mrs Michael Kussell 1633 Hobson 34 M Wy Mrs Sidney Mrs. bregoryk.

We, the undersigned residents in the immediate area of Lake Avenue and Hobson Road object to the proposed change in the zoning from an R-3 District Multi-Family Residential to a B1B District Limited Business on the parcel of Land containing 1.13 acres and located at the northwest corner of Hobson Road and Lake Avenue:

Dear Sirs:

The Board of Directors of Jamestown Homes Inc. located on Hobson Road between Lake and State has been notified by the City Plan Commission of a proposed amendment to the Zoning Ordinance of the City of Fort Wayne, Indiana. This proposal is to change a parcel of land containing 1.13 acres and located at the northwest corner of Hobson Road and Lake Avenue from an "R3" District, Multi-Family Residential, to an "B1B" District, Limited Business.

We, the Board, representing the 212 families of Jamestown object to the proposed change in the zoning but ask that any action on this proposal be postponed for a month to allow sufficient time to talk to the people of Jamestown and to our attourney.

Geräld Clark President

James Ellenwood 1st Vice-president

Frank Gerard 2nd Vice-president

Janet E. Coulson Secretary

Violet Tindall Treasurer

We, the undersigned residents in the immediate area of Lake Avenue and Hobson Road object to the proposed change in the zoning from an R-3 District Multi-Family Residential to a B1B District Limited Business on the parcel of land 1757 containing 1.13 acres and located at the northwest corner of Hobson Road and Lake Avenue: all Baki Mr. T Mrs alvin y. Rupp Ers Robins) Keltsel 22 Mr. + Mrs. 2 M. M. Cantwell 23 Mrs & Misa 4 Phillip a, Bernon 24 Mrs. Mus. Charles Brunoth 6 Mrs. Judy Keyneld 26 M. + Mrs. David Plats 7 My - Me Herry . Henfole & Mw & Mrs Roger Warman 8 Mrand Mrs John H. Harrin 28 Mest Mrs Randall Kuste (9 May Mas And La Vio 29 Due Mrs James Lewis 10 Me selen on Duflinge 30 Mr. & Mrs. Clifton Myons 11 Mayine Long 31 J. Share 12 Mr. + Mrs. Larry Barton 34 Ms Mes Dennie Hosppul 33 mo. E. m. malone 14 Mat Mrs Deve Moeller 34 Mrs. alma E. Teher handler 35 Mrs. M. Vandre Smith 36 Mps. & Mas Letter T. Janher fr. hu Williams of no Stophen Crick Shell39 Arrs. Clara Erockmen tertingo (harle W. Lare

page 2. 41 James V Mager 54. Lynda Heidelberg 42 Jack W. Flamingan 55. Kloth Knopf. 56. James R. Aliff 43 Helen Calvied 44 Theresa 5 Mar Donald 57 Mg. + Mrs Steven Parker 58. Doger W. Jehner 45 Vicke & Herppur 46 mosaid me James Housing. Mr & mrs Timothy Boyor 60 Met Mrs James O Neher 47 Won J. Glock 48 Junel Mison 61. Mr. + Mrs. R.K. Wrudge 49 Miche Stypatice 62. Mrs T.W. Outon 50 Min Min Verman Toloman 64. Mrs John Weller 51 Mr. + Mrs Terna Suder 52 Mrs. Junes Theoman 65. Mrs & Colenwood ye 53 Mr. Aprile Greeley 66.71/ in Mishael Me Mille

page 3. 67. Raymond J. Vachon 80. 68. M. 7) Mys de sutman 81. Q. 29 4 2/15. Kit appins 82. 70, n R. Wood 83. 71. Doy of Joseph 84. 72 Nellie Holley 85. 73. 7000 Julius Sudden 86 74. 22 is what (1 4 junts. 87. 25. Quie L. Hecker 88. 76 Judith Mrs Steven Hellander 89. 97 Ateren Hollander 78. Judith A. Sauce

Hamily-approsed

City Plan Commission 425 S. Calhoun St. Ft. Wayne, Indiana

February 6, 1970

Re: NW Corner of Hobson Road & Lake Ave Change from R3 to BlB Zone

Gentlemen:

We are in receipt of your notice regarding the above topic. This letter will express our opinion.

Some time ago, the rezoning of the above area was either proposed or accomplished so that a small neat Office Type Structure could be constructed on that corner. We have NO objection to this type of project.

We DO Object to the construction of a Filling Station in this area, which we understand is being proposed or intended.

It is our opinion that there are sufficient Filling Stations, in excess of more than eight (8) within a minutes drive of our residence, that additional facilities of this type need not be constructed.

Furthermore, since the apartment houses have been constructed along Hobson Road, the traffic situation at lake Ave and the Hobson Road has become a serious problem to those of us living in the vicinity. Traffic accidents are becoming more and more frequent. Cars turning either on to or off of Lake Ave. and Hobson Road is literally one continuous stream. Dragsters turning off Hobson Road, who continually leave tire skid marks on Lake Ave. will probably increase, adding to the ever increasing hazzards of living in the "once quiet" neighborhood area of Lake Ave. and Hobson Road.

We have no objection to Clinics, Funeral Homes, neat appearing Office Buildings of 1 floor construction or the like, but Filling Stations etc., we are inclined to vote NO.

Thanking you for the opportunity of voicing our opinion, we remain, for a better Fort Wayne,

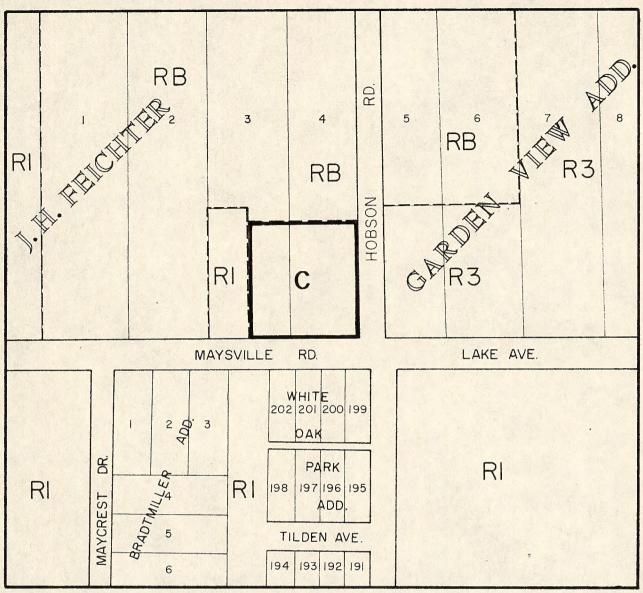
Yours very truly

Mr. & Mrs. Albert H. Mueller

3106 Lake Avenue

Ft. Wayne, Indiana 46805

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C-CHANGE FROM R3 TO BIB

2-70-01-11

FOUND. 90°00 E. 208.0 LOT#3 NOTES: WATER LINES ON LAKE AVE. AND HOBSON RD 30" STORM SEWER ON LAKE AVE. 4" GAS LINE ON LAKE AVE. SANITARY SEWER NORTH OF SITE APPROX. 100. POWER LINES ON SOUTH SIDE OF LAKE AVE. BENCH MARK OF BENCH MARK, TOP OF FIRE HYDRANT TOP ELEVATION 779.68 1.13 ACRES IRON FOUND. N. 90°00 W. 208.0 TELEPHONE POLE WATER AVENUE S.E. COR SE. 4 GORW SECT. 31, T.31 N, R.13 E. 36 CONCRETE PAVEMENT ALLEN CO. INDIANA 30" STORM SEWER EDGE OF PAVEMENT CURB

LEGAL DESCRIPTION

THE SOUTH 270.0 FEET OF LOT # 4 IN J. H. FEICHTER'S GARDENVIEW ADDITION TO THE CITY OF FORT WAYNE, INDIANA, EXCEPT THE EAST 40.0 FEET FOR HOBSON ROAD AND THE SOUTH 30.0 FEET FOR LAKE AVENUE, AND THE SOUTH 270 O FEET OF THE EAST 83.0 FEET OF LOT # 3 IN J. H. FEICHTER'S GARDEN-VIEW ADDITION TO THE CITY OF FORT WAYNE, INDIANA, EXCEPT THE SOUTH 30.0 FEET FOR LAKE AVENUE, ACCORDING TO THE RECORDED PLAT THEREOF.

NET LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN ALLEN COUNTY. INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF HOBSON ROAD AND THE NORTH RIGHT-OF-WAY LINE OF LAKE AVENUE, SAID POINT BEING SITUATED NORTH OODEGREES ZIMINUTES WEST 30. OFEET AND NORTH 90 DEGREES OOMINUTES WEST 40.0 FEET, OF THE SOUTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 31 NORTH, RANGE 13 EAST: THENCE NORTH SO DEGREES OOMINUTES WEST, ALONG THE NORTH RIGHT- OF- WAY LINE OF LAKE AVENUE, A DISTANCE OF 208.0 FEET TO A POINT, THENCE NORTH OO DEGREES 21 MINUTES WEST, PARALLEL TO THE WEST RIGHT-OF-WAY LINE OF HOBSON ROAD, A DISTANCE OF 240.0 FEET TO A POINT; THENCE NORTH SO DEGREES OO MINUTES FAST A DISTANCE OF 208. OFEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HOBSON ROAD; THENCE SOUTH OODEGREES 21 MINUTES EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF HOBSON ROAD, A DISTANCE OF 240,0 FEET TO THE POINT OF BEGINNING CONTAINING 1.13 ACRES OF LAND MORE OR LESS.

CERTIFICATION

TO SINCLAIR OIL CORPORATION OR TITLE INSURANCE COMPANY.

I HEREBY CERTIFY THAT THE FOREGOING MAP WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES MADE UNDER MY SUPERVISION, THAT THE SAME SHOWS THE LOCATION OF THE BOUNDARIES AND ALL IMPROVEMENTS AND THE LOCATION THEREOF WITH RESPECT TO THE BOUNDARIES ARE AS SHOWN: THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS APPURTENANT TO A DJOINING PREMISES UPON SUBJECT PREMISES, NOR FROM SUBJECT PREMISES UNLESS SHOWN ON PLAT, AND THAT ANY EASEMENTS APPARENT FROM A VISUAL INSPECTION ARE DELINEATED THEREON.

THE FOREGOING SURVEY MAY BE USED BY_ TITLE IN SURANCE COMPANY FOR THE PURPOSE OF DELETING THE STANDARD EXCEPTION APPEARING IN THE TITLE POLICY AS REGARDS SURVEY



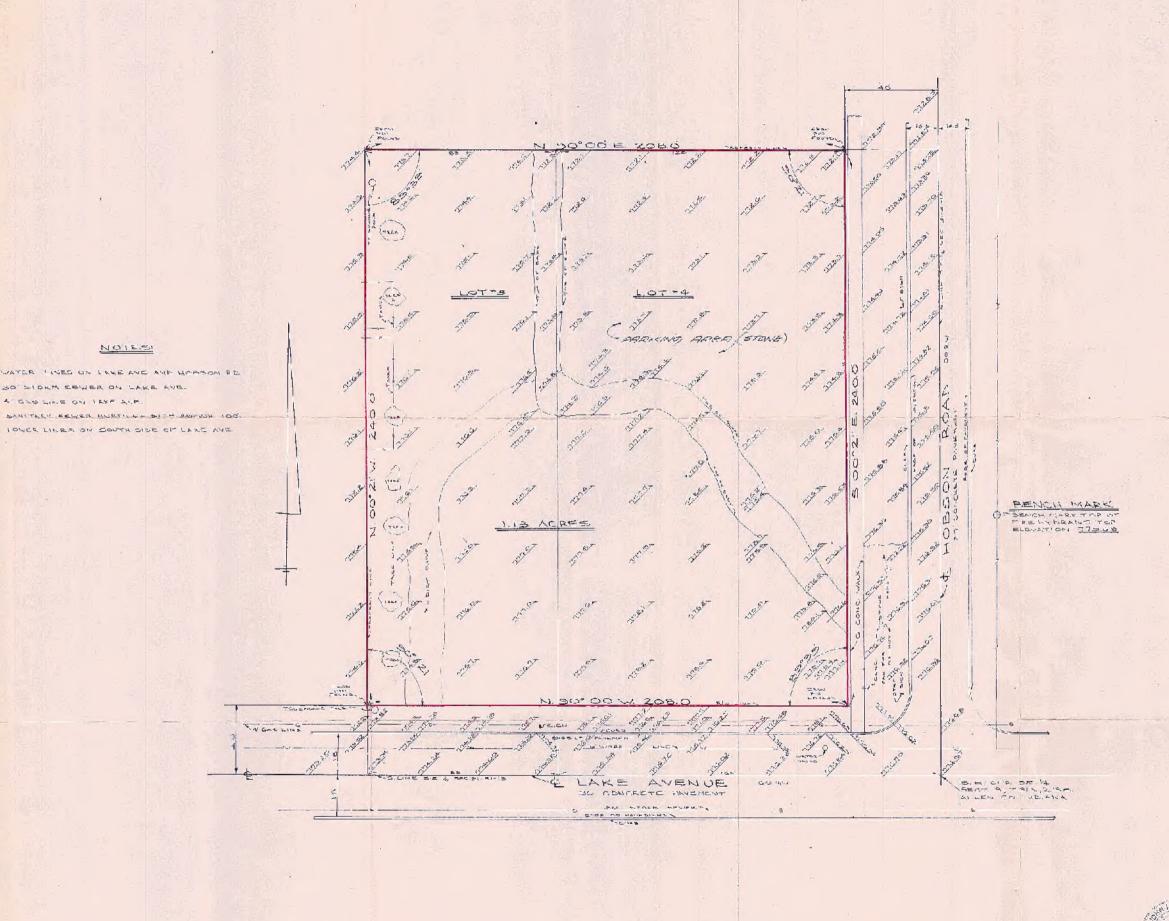


REVISIONS TOPOGRAPHICAL SURVEY DATE SINCLAIR OIL CORPORATION N.W. COR OF LAKE AVE. \$ HOBSON RD. ALLEN CO. IND SCALE ... = 20

CHK'D

DATE 5-2-69

DRAWING NO.



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